

### **REMARKS**

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1, 2, 4, 6-9, 11, 16, 19, 21-23, 26, 28, 29, 31, 32, 34, 35, 41 and 43 are pending in the present application. Claims 1, 4, 6, 7, 9, 11, 16, 23, 31 and 34 have been amended by the present amendment.

In the outstanding Office Action, claims 1, 4 and 7 were objected to; claims 1, 2, 4, 6-9, 11, 16, 19, 21-23, 26, 28, 29, 31, 32, 34, 35, 41 and 43 were rejected under 35 U.S.C. § 251 and under 35 U.S.C. § 112, first paragraph; and claims 1, 2, 4, 6-9, 11, 16, 19, 21-23, 26, 28, 29, 31, 32, 34, 35, 41 and 43 were rejected under 35 U.S.C. § 103(a) as unpatentable over Case et al. in view of Ohno.

Regarding the objection to the claims, claims 1, 4 and 7 have been amended to address the concerns noted in the Office Action.

Regarding the rejection of the claims under 35 U.S.C. § 251 and under 35 U.S.C. § 112, first paragraph, the Office action indicates the use of the term "optical disc" raises new matter and fails to comply with the written description requirement as the specification describes a DVD player including a disc. However, it is respectfully noted *In re Smythe*, 178 USPQ 279, 284 (CCPA 1973) has dealt with this issue and ruled the claims can substitute a generic term (here "optical disc") for a specific term (here "DVD," which is a well-known type of "optical disc"). In the above-noted case, the court ruled at 178 USPQ 284 that the key was that there was nothing unpredictable or critical as to using any particular type of fluid segmentizing medium, be it gas or liquid. 178 USPQ 285 states that "where the broader concept of using "inert fluid" would naturally occur to one skilled in the art from reading appellants' description of the use and functions of the segmentizing media specifically described, we see no basis for denying appellants the claims which recite the segmentizing medium broadly as an "inert fluid." The alternative places upon patent applicants, the Patent Office, and the public the undue burden of listing, in the case of applicants, reading and examining, in the case of the Patent Office, and printing and storing, in the case of the public, descriptions of the very many structural or functional equivalents of disclosed elements or steps which are already stored in the minds of

those skilled in the arts, ready for instant recall upon reading the descriptions of specific elements or steps.”

Thus, it is respectfully submitted that one skilled in the art would know that a “DVD” is an “optical disc,” and that the use of the term “optical disc” does not violate the 35 U.S.C. § 251 and the 35 U.S.C. § 112, first paragraph requirements. In addition, it is respectfully noted the issued patent in this reissue case uses the term optical disc player (see issued U.S. Patent No. 6,253,221, which uses the term optical display player in the claims).

Accordingly, it is respectfully requested these rejections be withdrawn.

Claims 1, 2, 4, 6-9, 11, 16, 19, 21-23, 26, 28, 29, 31, 32, 34, 35, 41 and 43 stand rejected under 35 U.S.C. § 103(a) as unpatentable over Case et al. in view of Ohno. This rejection is respectfully traversed.

The outstanding Office Action applies a new reference by Case et al. as teaching the features of the present application. However, it is respectfully noted Case et al. is the same as that discussed in the background of the present application. In more detail, before the present application was invented, the DVD player included font data of all the multiple languages for multilingual character subprocessing (see column 1, lines 43-45 of the issued U.S. Patent No. 6,253,221). Thus, the DVD player required a large memory capacity, which increases the cost in manufacturing of the players (see column 1, lines 45-48).

In more detail, Case et al. is directed to encoding text data into a sub code channel of the laser disc (see column 1, lines 10-14). The encoded text data is then decoded via a computer 19 interfacing with a DVD player (see column 3, lines 21-25, and Figure 2). Case et al. also describes that values such as the column width and max number of columns which can be displayed may differ depending on the size and font to be displayed when the text data appears on the television or other monitor (see column 4, lines 61-64). However, as discussed above, the font is applied via the laser disc player 27 and is not included in the text files 11 shown in Figure 2. This is evidenced because nowhere in any of the programs listed in Case et al. include anything about the font being included with the text files. Further, because the sub code channel on the laser disc is very small and only includes about 5% of the possible data storage (see column 2, lines 27-31), one skilled in the art would not additionally add the font data along with

the text data. That is, if the font data was included with the text files, there would be a less amount of information available in the small 5% portion of the sub code channel. Thus, as was conventionally done, the font processing was only performed by the DVD player. Case et al. is similar to such a conventional process. In addition, Case et al. includes a plurality of software programs that are executed by various portions of the system. It is respectfully noted that a review of these computer programs illustrate that there is no font data included with the encoded text data.

Thus, in Case et al., there is no separation of the font data from the detected recorded data on an optical disc as claimed by the present invention. That is, column 3, lines 21-32 of Case et al. cited by the Office Action does not teach or suggest such feature, especially because the font data was included on the laser disc player in Case et al. and was not included with the text files for the multiple languages. Therefore, Case et al. does not teach or suggest detecting if recorded data includes a first font data, and then separating the first font data from the detected recorded data if the first font data is recorded on the optical disc and also does not teach or suggest that the first font data is separate from the characters of the selected language before the character generation unit generates the character singles of the selected language. That is, there is no selectively generating process in which different font data is used based on whether or not font data exists on the optical disc. Rather, Case et al. is the typical conventional process in which the font information was handled by the laser disc player and not as in the present invention.

Accordingly, it is respectfully submitted independent claims 1, 4, 6, 7, 9, 11, 16 and 23 and each of the claims depending therefrom are allowable.

**CONCLUSION**

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone David A. Bilodeau, (Registration No. 42,325) at (703) 205-8072, in the Washington, D.C. area.

Prompt and favorable consideration of this Amendment is respectfully requested.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

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Respectfully submitted,

By \_\_\_\_\_  
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